

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.17616 OF 1996

DATED:18-04-2006

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Between:

Vegesina Kanaka Raju and others ..Petitioners

And

The District Collector, West Godavari District, Eluru. and others ..Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.17616 OF 1996

ORDER:

The petitioners are the residents of Pippara Village in Ganapavaram Mandalam, West Godavari District. They allegedly own agricultural lands in survey Nos.493 to 499, which are irrigated by the water of Venkatarajapuram tank situated in Pippara Village. The case of the petitioners is that there is a drainage channel adjacent to their land for draining out the irrigated water. The said drainage channel became defunct due to silting by reason of flooding. According to them, as orally directed by the respondents, they dug the eastern portion of the drainage channel and restored it. They also requested the authorities to restore the western portion of the drainage channel, in vain. In the meanwhile, it appears, there was an attempt by the respondents to assign the western portion of the drainage channel adjacent to the petitioners' lands in survey No.487, 489 and 492 of Pippara Village. Therefore, they filed the present Writ Petition.

The petitioners have enclosed some evidence along with the Writ Petition to show that there is a drainage channel adjacent to the lands. As per the Andhra Pradesh Board Standing Order 15(4)(ii)(h), Water-course including a drainage channel cannot be assigned. As and when any writ petition is received by the respondents for assignment of the land, they shall keep this in mind, and before assigning the land in respect of the drainage poramboke, the petitioners shall be given notice of

being heard.

The Writ Petition, with the above observation, is accordingly disposed of. No costs.

(V.V.S.RAO, J)

18.04.2006

GJ